

PLAINTIFF'S

EXHIBIT

“D”

8/28/2019

Tidewater Mail - Soyo Tide and Lourdes Tide



Austin Howell <ahowell@tdw.com>

Soyo Tide and Lourdes Tide

Donald Miller <millerdonald2007@yahoo.com>
To: Austin Howell <ahowell@tdw.com>

Sun, Jun 2, 2019 at 12:19 AM

Hi Austin,

Thanks for your email. I'll send you the remaining \$100k not \$110k before June 7, 2019. While I acknowledge all you have done to assist me in this regard, it's quite unfortunate that until this moment I have yet to receive the permits and it's very expensive I do not even know where to dock the boat after I retrieve it from your company. So yes please I will greatly appreciate it if you can understand my points. Remember I never argued the price with you from the beginning. The price you told me is the price that I paid and so far I have lost almost a hundred thousand dollars to you guys because of the damn permits that I am yet to receive from Nimasa in Nigeria. So please help me I'll remit \$100k to you between Monday June 3rd and Thursday June 6th to enable me pick up the boat. Thanks Donald

Sent from Yahoo Mail for iPhone

On Thursday, May 30, 2019, 22:51, Austin Howell <ahowell@tdw.com> wrote:

Donald,

To date, we have received \$530,000 in funds for the vessels. As you are canceling the purchase of the Soyo Tide, we will credit the \$75,000 deposit to the vessel owner. The single vessel price of the Lourdes Tide minus the enbloc discount is \$550,000. As you are aware, you are also one month over the free period in the agreement, and we have incurred an additional \$15,000 in storage fees. This is a total purchase price of \$565,000.

Please remit the remaining \$110,000 (\$565,000 minus \$455,000 (\$530,000 minus \$75,000)) before the 7th of June or the funds for both vessels less the deposits will be returned and the vessels will go to the other buyers interested.

Austin Howell
TDW

On Thu, May 30, 2019 at 10:05 AM Donald Miller <millerdonald2007@yahoo.com> wrote:

Ok I'll wait for it sir

Sent from Yahoo Mail for iPhone

On Thursday, May 30, 2019, 09:36, Austin Howell <ahowell@tdw.com> wrote:

Donald,

The prices given for the boats were based on a 2 boat discount. I need to resend the price for the Lourdes on a single vessel basis.

Austin Howell
TDW

Sent from my iPhone

On May 30, 2019, at 09:34, Donald Miller <millerdonald2007@yahoo.com> wrote:

Hi Austin,

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I just verified with my bank now. My apologies you are absolutely correct the funds were not remitted to your company account as earlier indicated. I would take the Lourdes instead of the two since I am having difficulty getting the required permits for both boats in Nigeria and so far it's like removing one's teeth with a set of pliers. Please you can re-list the soyotide in the market. Please remit the balance to my account as well. Thanks Donald

Sent from Yahoo Mail for iPhone

On Wednesday, May 29, 2019, 20:36, Austin Howell <ahowell@tdw.com> wrote:

Donald,

We have received no funds. We have other offers for these vessels and this delay is creating a great deal of storage costs. If we do not receive the balance of the payment by June 5th, we will be returning your funds paid above the deposit amount and proceeding with the other sale offers we have in hand.

Austin Howell
TDW

On Mon, May 20, 2019 at 7:28 PM Donald Miller <millerdonald2007@yahoo.com> wrote:

Hi Austin,

Sorry for the late response. I just arrived Houston today from Nigeria. I am shocked that your company still has not received the last funds. I instructed my accountant to remit the funds to your company since last week but am shocked it was not remitted. Let me get on it tomorrow morning please. Once again my apologies. Thanks Donald

Sent from Yahoo Mail for iPhone

On Monday, May 20, 2019, 17:56, Austin Howell <ahowell@tdw.com> wrote:

Donald,

I need this wrapped up. I am under a lot of pressure to cancel the agreement and go with the other interested buyer.

Austin Howell
TDW

Sent from my iPhone

On May 6, 2019, at 14:56, Donald Miller <millerdonald2007@yahoo.com> wrote:

Hi Austin,

Sorry for the late response. I lost my mom to cancer last week so I

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had to send her corpse home to Nigeria for funeral arrangements. I'll definitely clear the balance by next weekend if that's ok with you. I recognize the fact that you have been extremely patient with me and I appreciate it. I'll take care of the balance as soon as I get back in town please. My sincere apologies please. Thanks Donald

Sent from Yahoo Mail for iPhone

On Monday, May 6, 2019,
13:52, Austin Howell
<ahowell@tdw.com> wrote:

Donald,

We have exceeded the 45 days contemplated by the sales agreement for closing of the sale. There is a balance of \$750,000 remaining due. Please advise ASAP the schedule for payments.

Austin Howell
TDW

Sent from my iPhone